

## **DECISION MEMORANDUM**

**TO: COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSIONER KEMPTON  
COMMISSION SECRETARY  
COMMISSION STAFF**

**FROM: KRISTINE SASSER  
DEPUTY ATTORNEY GENERAL**

**DATE: MARCH 4, 2009**

**SUBJECT: IDAHO POWER'S APPLICATION TO MODIFY ITS RULE H (LINE  
EXTENSION) TARIFF RELATED TO NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE INSTALLATIONS, CASE NO. IPC-E-08-22**

On October 30, 2008, Idaho Power Company filed an Application with the Commission seeking authority to modify its Rule H tariff relating to new service attachments and distribution line installations and alterations. Specifically, the Company wishes to increase the charges for new service attachments, distribution line installations and alterations.

On November 26, 2008, the Commission issued a Notice of Application and set a deadline for intervention. Order No. 30687. Four parties petitioned and were granted intervenor status: Building Contractors Association of Southwestern Idaho; City of Nampa; The Kroger Co.; and Association of Canyon County Highway Districts. Pursuant to Order No. 30687, the parties met on January 14, 2009, to discuss the processing of this case.<sup>1</sup> On January 21, 2009, a Notice of Modified Procedure and Notice of Scheduling was issued outlining the parameters for discovery, setting a comment deadline of March 20, 2009, and suspending the Company's proposed effective date for 60 days. Order No. 30719. On February 27, 2009, the Building Contractors Association of Southwestern Idaho (BCA; Association) filed a Motion to Extend Comment Period.

### **BCA'S MOTION TO EXTEND**

BCA requests that the comment deadline be extended until April 17, 2009. BCA argues that, due to the complexity and nature of the issues involved, the parties should be

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<sup>1</sup> Although notified of the meeting, no representatives for Kroger or the Building Contractors Association were in attendance.

permitted enough time to ask and analyze the information produced through the discovery process. BCA also notes that it has retained an expert witness to review the Company's proposed changes. BCA points out that if the Company utilizes a full 21 days to answer its most recent production requests the answers would arrive on the eve of the deadline for comments which would preclude any meaningful review.

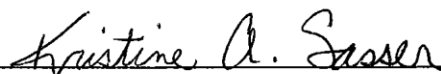
BCA maintains that, given the current economic conditions, its requested extension will not prejudice Idaho Power or any other parties to this case. Idaho Power did not file responsive comments.

### **STAFF ANALYSIS**

Staff notes that an extension of the comment period significantly reduces the time after comments for Commission deliberation prior to the Company's May 1, 2009, effective date.

### **COMMISSION DECISION**

1. Does the Commission wish to grant the Building Contractors Association's Motion to Extend Comment Period until April 17, 2009?
2. Does the Commission wish to further suspend the May 1, 2009, effective date? If yes, until what date?

  
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Kristine A. Sasser  
Deputy Attorney General

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